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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

On Appeal from Group Art Unit 3731

In re the Application of

Inventor: Jose FEDIDA Group Art Unit: 3731

Appln. No.: 09/526,547 Examiner: V. Bui

Filed: March 16, 2000

For: STRUCTURE OF A PROSTHESIS INTENDED TO BE IMPLANTED
IN A HUMAN OR ANIMAL PASSAGE AND PROSTHESIS WITH
SUCH A STRUCTURE

PETITION UNDER 37 CFR 1.183

Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

The Applicant hereby petitions, pursuant to the provisions of 37 CFR 1.183, for suspension of the rules to allow entry of a Request for Oral Hearing and a Reply Brief (both attached hereto) after the deadline set by an Examiner's Answer which issued in this application on October 20, 2003. It is believed that the circumstances described below constitute extraordinary circumstances that in equity would warrant suspension of the applicable deadline to permit submission and entry at this time of the Request for Oral Hearing and Reply Brief.

RECEIVED
JAN 14 2004
OFFICE OF PETITION

Although the Examiner's Answer was received on October 20, 2003 by the law firm of which the undersigned is a member (hereinafter, "the law firm") and the undersigned is the attorney within the firm who is responsible for this application, the undersigned never received this Examiner's Answer until January 9, 2004. The circumstances of this occurrence are described in the attached Declarations of clerical staff of the law firm and are summarized below.

The Examiner's Answer was timely received by the chief docket clerk of the law firm on October 20, 2003, as evidenced by the date of receipt which is routinely stamped on the reverse side of the last page of all papers received from the PTO. Exhibit I is a copy of this sheet. Although the chief docket clerk has fifteen (15) years of experience as a patent docket clerk, she failed, through inadvertence, to docket a deadline, based on receipt of the Examiner's Answer, for the Request for Oral Hearing or the Reply Brief, in the firm's computerized docket system (which operates the widely used PATSY docketing software). Our PATSY software does not automatically docket due dates established by issuance of an examiner's answer. Exhibit II is a Declaration of said chief docket clerk.

The docket clerk then routed the Examiner's Answer to an Administrative Assistant of the undersigned for further processing.

Exhibit III is a Declaration of the Administrative Assistant, stating that she received the Examiner's Answer on about October 20, 2003, but that she did not realize there was any due date to be docketed or any urgency to dealing with the paper because there was no due date marked thereon by the docket clerk. Due to an unusually heavy workload in October and November, and the holiday season in December, she did not prepare a letter for the undersigned's signature, to send the paper to the Applicant, until January 9, 2004. She kept the paper in question at her desk from October 20, 2003 through January 9, 2004.

As a result of the above circumstances, the undersigned did not receive the Examiner's Answer until January 9, 2004.

Further, a search of the file jacket and docket records maintained by the undersigned and the law firm indicates that the deadlines, for the Request for Oral Hearing and the Reply Brief, set by the Examiner's Answer were never docketed.

Exhibit IV is a copy of the undersigned's file jacket for this application. If the undersigned had timely received the Examiner's Answer, it would have been entered on the cover of the file jacket

indicating a due date of December 20, 2003. However, the file jacket lacks an entry for an Examiner's Answer.

Exhibit V is a copy of the undersigned's manual docket calendar for December 18-24, 2003. If the undersigned had timely received the Examiner's Answer, it would have been entered on the manual docket calendar on December 20, 2003. However, no such entry was made.

Exhibit VI is a copy of the printout of the Consolidated Docket for the undersigned, obtained from the law firm's computerized docket system for the date of December 20, 2003. This printout was provided to the undersigned and his Administrative Support Staff at the end of November 2003. Except for the docket clerk's inadvertent error noted above, there should have been an entry on December 20, 2003 for the Examiner's Answer. However, the computerized docket system, as shown by the attached printout of the Consolidated Docket for the undersigned, also lacks an entry for the Examiner's Answer.

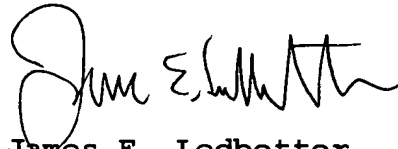
Exhibit VII is a printout obtained January 12, 2004 from the firm's PATSY system for the above-referenced application; this printout shows no entry of any deadline after receipt of the Examiner's answer.

Accordingly, it is believed that the above-described extraordinary circumstances warrant equitable suspension of the

rules to permit entry of the attached Request for Oral Hearing and Reply Brief is respectfully requested.

The fee set forth in 37 CFR 1.17(h) or any other required fee for this Petition may be charged to Deposit Account No. 19-4375.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "James E. Ledbetter", written in a cursive style.

James E. Ledbetter
Registration No. 28,732

Date: January 12, 2004
JEL/DWW/att
Attorney Docket No. JEL 31040
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ADDRESS OK

Exhibit A

RECEIVED

JAN 14 2004

OFFICE OF PETITIONS

Cohen & Bonnet
CLIENT/ASSOCIATE ATTY.

JEL
SDM & M PARTNER

NOVATECH/STRUCTURE PROTHETIQUE
CLIENT/ASSOCIATE REF. NO.

SDM & M ASSOCIATE

JOSE FEDIDA
INVENTOR

09/526 547
APPLN. SERIAL NO.

MARCH 16 2000
FILING DATE

Structure of a Prosthesis Intended to be Implanted
in a Human or Animal Passage and Prosthesis
with Such a Structure

PROSECUTION HISTORY

| Description of Paper | Date of Paper | Due Date (If Any) |
|---|-------------------------|-------------------------|
| Information Disclosure Statement w/PTO-1449 | June 14, 2000 | |
| <u>IDS</u> | <u>Aug. 28, 2000</u> | |
| <u>SIL - Conf./change + address</u> | <u>SEPT. 22, 2000</u> | |
| <u>Office action</u> | <u>August 1, 2001</u> | <u>November 1, 2001</u> |
| <u>Amendment</u> | <u>Nov. 1, 2001</u> | |
| <u>Final Rejection</u> | <u>January 15, 2002</u> | <u>April 15, 2002</u> |
| <u>Amend. of Fin. Rej.</u> | <u>April 19, 2002</u> | <u>May 15, 2002</u> |
| <u>Amendment</u> | <u>May 15, 2002</u> | |
| <u>Office ACTION</u> | <u>July 18, 2002</u> | <u>Oct. 18, 2002</u> |
| <u>Amendment + Pet. for EOT</u> | <u>Nov. 18, 2002</u> | |
| <u>Final Rejection</u> | <u>Feb. 13, 2003</u> | <u>May 13, 2003</u> |
| <u>Amendment + LOD</u> | <u>April 28, 2003</u> | <u>May 13, 2003</u> |
| <u>Notice of Appeal + Pet. for EOT</u> | <u>June 13, 2003</u> | <u>Aug. 13, 2003</u> |
| <u>Appeal Brief</u> | <u>July 28, 2003</u> | |
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|----------|-----------------------|--------------|
| ISSUANCE | Date Accepted/Allowed | Date Granted |
| | Patent Number | Patent Date |

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Washington, D.C. 20005

APPLICANT

DOCKET NO.

side

side (sīd) *noun*

1. *Mathematics.* a. A line bounding a plane figure. b. A surface bounding a solid figure.
2. A surface of an object, especially a surface joining a top and bottom: *the four sides of a box.*
3. A surface of an object that extends more or less perpendicularly from an observer standing in front: *the side of the ship.*
4. Either of the two surfaces of a flat object: *the front side of a piece of paper; the two sides of a record.*
5. a. The part within an object or area to the left or right of the observer or of its vertical axis. b. The left or right half of the trunk of a human or animal body: *always sleeps on his side; a side of beef.*
6. a. The space immediately next to someone: *stood at her father's side.* b. The space immediately next to something. Often used in combination: *courtside; dockside.*
7. One of two or more contrasted parts or places within an area, identified by its location with respect to a center: *the north side of the park.*
8. An area separated from another area by an intervening feature, such as a line or barrier: *on this side of the Atlantic; the district on the other side of the railroad tracks.*
9. a. One of two or more opposing individuals, groups, teams, or sets of opinions. b. One of the positions maintained in a dispute or debate.
10. A distinct aspect: *the shy side of his personality.* See synonyms at phase.
11. Line of descent: *my aunt on my mother's side.*
12. *Chiefly British.* Affected superiority; arrogance.

adjective

1. Located on a side: *a side door.*
2. From or to one side; oblique: *a side view.*
3. Minor; incidental: *a side interest.*
4. In addition to the main part; supplementary: *a side benefit.*

verb

sid·ed, sid·ing, sides *verb, transitive*

1. To provide sides or siding for: *side a frame house with aluminum.*
2. To be positioned next to: *a couch that is sided by low tables.*
3. To be in agreement with; support.

verb, intransitive

To align oneself in a disagreement: *sided with the conservatives in Congress; siding against the bill.*

— *idiom.*

on the side

1. In addition to the main portion: *coleslaw on the side.*
2. In addition to the main occupation or activity: *did some consulting work on the side.*

side by side

Next to each other; close together.

this side of *Informal.*

Verging on; short of: *shady deals that were just this side of criminal.*

[Middle English, from Old English *sīde*.]

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sic pas-sim \sɪk-'pɑ-səm, 'sɛk-'pɑ-sim/ *adv* [L] (1921) : so throughout — used of a word or idea to be found throughout a book or a writer's work

sid-dur \sɪ-'dɜr, -'dʊr/ *n*, *pl* **sid-du-rim** \sə-'dʊr-əm/ [LHeb *siddur*, lit., order, arrangement] (1864) : a Jewish prayer book containing liturgies for daily, Sabbath, and holiday observances

'side \saɪd/ *n* [ME, fr. OE *side*; akin to OHG *sita* side, OE *sīd* ample, wide] (bef. 12c) 1 a : the right or left part of the wall or trunk of the body (a pain in the ~) b (1) : one of the halves of the animal body on either side of the mesial plane (2) : a cut of meat including that about the ribs of one half of the body — used chiefly of smoked pork products c : one longitudinal half of a hide 2 : a place, space, or direction with respect to a center or to a line of division (as of an aisle, river, or street) 3 a : one of the longer bounding surfaces or lines of an object esp. contrasted with the ends (the ~ of a barn) b : a line or surface forming a border or face of an object (a die has six ~s) (the back ~ of the moon) c : either surface of a thin object (one ~ of a record) (right ~ of the cloth) d : a bounding line of a geometric figure (~ of a triangle) 4 a : the space beside one (stood by my ~) b : an area next to something — usu. used in combination (a poolside interview) 5 : a slope (as of a hill) considered as opposed to another slope (the far ~ of the hill) 6 a : the attitude or activity of one person or group with respect to another : PART (there was no malice on my ~) b : a position that is opposite to or contrasted with another (two ~s to every question) (came down on the ~ of law and order) c : a body of partisans or contestants (victory for neither ~) d : TEAM (11 players on each ~) 7 : a line of descent traced through one's parent (grandfather on his mother's ~) 8 : an aspect or part of something contrasted with some other real or implied aspect or part (the better ~ of his nature) (the sales ~ of the business) (the seasoning is a bit on the heavy ~) 9 *Brit* : sideways spin imparted to a billiard or snooker ball 10 : a sheet containing the lines and cues for a single theatrical role 11 : a recording of music 12 : a side order or dish (a ~ of fries) — **on the side** 1 : in addition to the main portion 2 : in addition to a principal occupation — **this side of** : short of : ALMOST (an attitude just this side of scandalous)

'side adj (14c) 1 a : situated on the side (~ window) b : of or relating to the side 2 a : directed toward or from the side (~ thrust) (~ wind) b : INCIDENTAL, INDIRECT (~ issue) (~ remark) c : made on the side (~ payment) d : additional to the main portion (~ order of french fries)

'side vb **sid-ed**; **sid-ing** *v* (1591) 1 : to agree with : SUPPORT 2 : to be side by side with 3 : to set or put aside : clear away (~ the dishes) 4 : to furnish with sides or siding (~ a house) ~ *vi* : to take sides : join or form sides (sided with the rebels)

'side n [obs. *E* side proud, boastful] (1878) chiefly *Brit* : swaggering or arrogant manner : PRETENTIOUSNESS

side-arm \saɪd-'ɑrm/ *adj* (1908) : of, relating to, using, or being a baseball pitching style in which the arm is not raised above the shoulder and the ball is thrown with a sideways sweep of the arm between shoulder and hip (~ delivery) — **sidearm** *adv*

side arm *n* (1689) : a weapon (as a sword, revolver, or bayonet) worn at the side or in the belt

side-band \saɪd-'bænd/ *n* (1922) : the band of frequencies (as of radio waves) on either side of the carrier frequency produced by modulation

side-bar \saɪd-'bɑr/ *n* (1945) : a short news story accompanying and presenting sidelights of a major story

side bearing *n* (Ca. 1894) : the space provided at each side of a typeset letter to prevent its touching adjoining letters

side-board \saɪd-'bɔrd, -'bɔrd/ *n* (1671) : a piece of dining-room furniture having compartments and shelves for holding articles of table service

side-burns \saɪd-'bɜnz/ *n* *pl* [anagram of *burnsides*] (1887) 1 : SIDE-WHISKERS 2 : continuations of the hairline in front of the ears — **side-burned** \saɪd-'bɜnd/ *adj*

side by side *adv* (13c) 1 : beside one another 2 : in the same place, time, or circumstance (lived peacefully side by side for many years) — **side-by-side** *adj*

side-car \saɪd-'kɑr/ *n* (1904) 1 : a car attached to the side of a motorcycle for a passenger 2 : a cocktail consisting of a liqueur with lemon juice and brandy

side chain *n* (1886) : a shorter chain or group of atoms attached to a principal chain or to a ring in a molecule

side chair *n* (1905) : a chair without arms used usu. in a dining room

side-ed \saɪd-'ed/ *adj* (15c) : having sides often of a specified number or kind (one-sided) (glass-sided) — **side-ed-ness** *n*

side dish *n* (1725) : a food served separately along with the main course

side-dress \saɪd-'dres/ *n* (1966) : SIDE-DRESSING — **side-dress** \saɪd-'dres/ *v*

side-dress \saɪd-'dres/ *v* (1935) 1 : plant nutrients placed on or in the soil near the roots of a growing crop often by means of a cultivator having a fertilizer-distributing attachment 2 : the act or process of applying side-dressing to a crop

side drum *n* (Ca. 1800) : SNARE DRUM

side effect *n* (1884) : a secondary and usu. adverse effect (as of a drug) (toxic side effects) — called also *side reaction*

side-glance \saɪd-'glɑns/ *n* (1611) 1 : a glance directed to the side 2 : a passing allusion : an indirect or slight reference

side-hill \saɪd-'hɪl/ *n* (1674) : HILLSIDE — **sidehill** *adj*

side horse *n* (Ca. 1934) : POMMEL HORSE

side-kick \saɪd-'kɪk/ *n* (1906) : a person closely associated with another as subordinate or partner

side-light \saɪd-'laɪt/ *n* (1610) 1 a : light coming or produced from the side b : incidental light or information 2 : the red light on the port bow or the green light on the starboard bow carried by ships under way at night

'side-line \saɪd-'lɪn/ *n* (1862) 1 : a line at right angles to a goal line or end line and marking a side of a court or field of play for athletic games 2 a : a line of goods sold in addition to one's principal line b : business or activity pursued in addition to one's regular occupation 3 a : the space immediately outside the lines along either side of an athletic field or court b : a sphere of little or no participation or activity — usu. used in *pl*

'sideline *v* (1943) : to put out of action : put on the sidelines

side-lin-er \saɪd-'lɪ-nər/ *n* (1947) : one that remains on the sidelines during an activity : one that does not participate

'side-ling \saɪd-'lɪŋ/ *adv* [ME *sidling*, fr. *'side* + *'-ling*] (14c) *archaic* : in a sidelong direction : SIDEWAYS

'sideling *adj* (1611) 1 *archaic* : directed toward one side : OBLIQUE 2 *archaic* : having an inclination : SLOPING (~ ground)

'side-long \saɪd-'lɒŋ/ *adv* [alter. of *'sideling*] (14c) 1 : SIDEWAYS, OBLIQUELY 2 *archaic* : on the side

'sidelong *adj* (1597) 1 : lying or inclining to one side : SLANTING 2 a : directed to one side (~ looks) b : indirect rather than straightforward

side-man \saɪd-'mæn/ *n* (1936) : a member of a band or orchestra and esp. of a jazz or swing orchestra

side-piece \saɪd-'pi:s/ *n* (1802) : a piece forming or contained in the side of something (the ~ of a carriage)

side- or sidero- *comb form* [MF, fr. L, fr. Gk *sidēr-, sidēro-, fr. sidēros*] : iron (hemosiderin) (siderolite)

-sid-er \saɪd-'ər/ *comb form* : one placed or living in a usu. specified side (as a section of the city) (an east-sider)

side-re-al \saɪd-'ri:əl, sɑ- / *adj* [L *sidereus*, fr. *sidēr-, sidus* star, constellation] (1647) : of, relating to, or expressed in relation to stars or constellations : ASTRAL

sidereal day *n* (1794) : the interval between two successive transits of a point on the celestial sphere (as the vernal equinox) over the upper meridian of a place : 23 hours, 56 minutes, 4.1 seconds of mean time

sidereal hour *n* (Ca. 1891) : the 24th part of a sidereal day

sidereal minute *n* (Ca. 1909) : the 60th part of a sidereal hour

sidereal month *n* (1868) : the mean time of the moon's revolution in its orbit with reference to a star's position : 27 days, 7 hours, 43 minutes, 11.5 seconds of mean time

sidereal second *n* (Ca. 1909) : the 60th part of a sidereal minute

sidereal time *n* (1812) 1 : time based on the sidereal day 2 : the hour angle of the vernal equinox at a place

sidereal year *n* (1681) : the time in which the earth completes one revolution in its orbit around the sun measured with respect to the fixed stars : 365 days, 6 hours, 9 minutes, and 9.5 seconds of mean time

'side-er-ite \saɪd-'ɪr-ɪt/ *n* [G *Siderit*, fr. Gk *sidēros* iron] (1850) : a native ferrous carbonate FeCO₃ that is a valuable iron ore

'siderite *n* (1875) : a nickel-iron meteorite

side road *n* (1854) : a smaller road off a main road

side-ro-ite \saɪd-'rɔ-ɪt, 'sɪd-ər-ɪt/ *n* (1863) : a stony iron meteorite

side-sad-dle \saɪd-'sɑd-əl/ *n* (15c) : a saddle for women in which the rider sits with both legs on the same side of the horse — **side-saddle** *adv*

side-scan sonar \saɪd-'skɑn-'sɒnər/ *n* (1967) : a sonar that scans the ocean floor to the side of a ship's track and is used esp. for mapping the ocean bottom

side-show \saɪd-'ʃoʊ/ *n* (1846) 1 : a minor show offered in addition to a main exhibition (as of a circus) 2 : an incidental diversion or spectacle

side-slip \saɪd-'slɪp/ *v* (1887) 1 : to skid or slide sideways 2 : to slide sideways through the air in a downward direction in an airplane along an inclined lateral axis — **side-slip** *n*

side-spin \saɪd-'spɪn/ *n* (1926) : a rotary motion that causes a ball to revolve horizontally

side-split-ting \saɪd-'splɪt-ɪŋ/ *adj* (1856) : extremely funny — **side-split-ting-ly** *adv*

side-step \saɪd-'step/ *v* (1901) 1 : to take a side step 2 : to avoid an issue or decision ~ *vi* 1 : to move out of the way of : AVOID (~ a blow) 2 : BYPASS, EVADE (~ a question) — **side-step-per** *n*

side step *n* (1789) 1 : a step aside (as in boxing to avoid a blow) 2 : a step taken sideways (as when climbing on skis)

side-strad-dle hop \saɪd-'strɑd-'dl/ *n* (1952) : JUMPING JACK 2

side-stream \saɪd-'stri:m/ *adj* (1951) : relating to or being tobacco smoke that is emitted from the lighted end of a cigarette or cigar

side street *n* (1617) : a street joining and often terminated by a main thoroughfare

side-stroke \saɪd-'strɒk/ *n* (1867) : a swimming stroke which is executed on the side and in which the arms are swept in separate strokes towards the feet and downward and the legs do a scissors kick

'side-swipe \saɪd-'swɪp/ *v* (1904) : to strike with a glancing blow along the side (sideswiped a parked car)

'sideswipe *n* (1917) 1 a : the action of sideswiping b : an instance of sideswiping : a glancing blow 2 : an incidental/deprecatory remark, allusion, or reference

side table *n* (14c) : a table designed to be placed against a wall

'side-track \saɪd-'træk/ *n* (1835) 1 : SIDING 2 : a position or condition of secondary importance to which one may be diverted

'sidetrack *v* (1880) 1 : to shunt aside (as to a railroad siding) 2 a : to turn aside from a purpose : DEFLECT b : to prevent action on by diversionary tactics (~ an issue)

side-walk \saɪd-'wɒk/ *n* (1739) : a usu. paved walk for pedestrians at the side of a street

sidewalk superintendent *n* (1940) : a spectator at a building or demolition job

side-wall \saɪd-'wɒl/ *n* (14c) 1 : a wall forming the side of something 2 : the side of an automotive tire between the tread shoulder and the rim bead

side-ward \saɪd-'wɔrd/ or **side-wards** \wɔrdz/ *adv* (15c) : toward a side

side-way \saɪd-'weɪ/ *adv* or *adj* (1612) : SIDEWAYS

side-ways \wɔz/ *adv* or *adj* (1577) 1 : from one side 2 : with one side forward (turn ~) 3 a : in a lateral direction or downward to one side (hopped ~) (slump ~) b : ASKANCE (look ~ at someone)

side-wheel \saɪd-'hwel, -'wel/ *adj* (1857) : of or being a steamer having a paddle wheel on each side — **side-wheel-er** \saɪd-'hwel-ər, -'we-/ *n*

side-whis-kers \saɪd-'hwɪs-'kɜz, -'wɪs-/ *n* *pl* (1867) : whiskers on the side of the face usu. worn long — **side-whis-kered** \kɜrd/ *adj*

side-wind-er \saɪd-'wɪn-'dər/ *n* (1840) 1 : a heavy swinging blow from the side 2 : a small pale-colored desert rattlesnake (*Crotalus cerastes*) of the southwestern U.S. that moves by thrusting its body diagonally forward in a series of flat S-shaped curves

side-wise \saɪd-'wɪz/ *adv* (1571) : SIDEWAYS

'siding \saɪd-ɪŋ/ *n* (1603) 1 *archaic* : the taking of sides : PARTISANSHIP 2 : a short railroad track connected with the main track 3 : material (as boards or metal plates) forming the exposed surface of outside walls of frame buildings

side \saɪd/ *vb* **sid-dle** formation fr. *'sideling* 1 esp. in a future advanc

side n (*'sɛj* also *'sɛzh*) *n* **sege** settle, fr. (assumed seat) 1 obs : a seat of d (13c) 1 obs : a seat of d of a city or fortified place of a city or fortified place of a city or fortified place

side n (*'sɛj* also *'sɛzh*) *n* **sege** settle, fr. (assumed seat) 1 obs : a seat of d (13c) 1 obs : a seat of d of a city or fortified place of a city or fortified place

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Exhibit 2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE **RECEIVED**

On Appeal from Group Art Unit 3731

JAN 14 2004

In re the Application of

OFFICE OF PETITIONS

Inventor: Jose FEDIDA Group Art Unit: 3731

Appln. No.: 09/526,547 Examiner: V. Bui

Filed: March 16, 2000

For: STRUCTURE OF A PROSTHESIS INTENDED TO BE IMPLANTED
IN A HUMAN OR ANIMAL PASSAGE AND PROSTHESIS WITH
SUCH A STRUCTURE

DECLARATION OF DOCKET CLERK

Attn: Office of Petitions

Assistant Commissioner of Patents
Washington, D. C. 20231

Dear Sir:

The undersigned, Chief Docket Clerk for the undersigned's law firm, hereby declares that:

(1) I have fifteen years of experience as a patent docket clerk for various law firms;

(2) I have been employed as chief docket clerk by Stevens, Davis, Miller & Mosher, from June, 2003 to the present;

(3) I received the Examiner's Answer dated October 20, 2003, in the above-captioned application, on October 20, 2003;

(4) Our PATSY software does not automatically docket deadlines established by issuance of an Examiner's Answer, and I, through mistake and inadvertence, did not docket the deadline for the reply brief and the request for oral hearing in PATSY;

(5) after processing the Examiner's answer, I forwarded the Examiner's Answer to Mr. Ledbetter's Administrative Assistant;

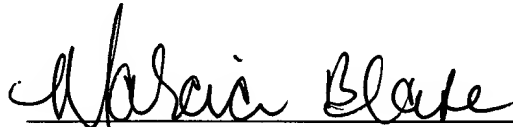
(6) on January 9, 2004, Mr. Ledbetter informed me of the error in not docketing the deadline for the reply brief and the request for oral hearing;

(7) attached hereto is a copy of the PATSY printout for Mr. Ledbetter's Consolidated Docket that I circulated to Mr. Ledbetter and his staff at the beginning of December, 2003; this Consolidated docket contains all items having due dates entered into PATSY for all of Mr. Ledbetter's cases and would have included any action items for the above-identified application;

(8) attached hereto is a copy of a docket printout from PATSY for the above-referenced application showing the entries for this application as of January 12, 2004; and

(9) all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful statements may jeopardize the validity of the application or any patent issuing thereon.

January 12, 2004


Marcia Blake

URGENT CONSOLIDATED DOCKET FOR JAMES E. LEDBETTER

December continued...

Printed: 11/26/2003

| DATE | ATTY/ATTY2 PARA | REFERENCE# | TITLE / MARK | CLIENT | REG/SERIAL# | ACTION | CURRENT EXT | EXT AVAILABLE |
|--------|--------------------|--------------|---|--------------------------|-----------------|----------------------|----------------|------------------|
| 18 Thu | JEL/JEL/JEL | L9289.02217 | BASE STATION APPARATUS AND RADIO COM | Washida & Associates | (US) 10/311,592 | STATUS CHECK | 0 | None |
| 18 Thu | JEL/JEL/JEL | L9289.02217 | BASE STATION APPARATUS AND RADIO COM | Washida & Associates | (US) 10/311,592 | ASSIGNMENT RECORDED? | 3 | None |
| 19 Fri | JEL/JEL/JEL | L4093.02106 | SMS | LIAN AND LIU | (US) 76/441,237 | STATUS CHECK | 0 | None |
| 19 Fri | JEL/JEL/JEL | L7016.01139 | PRINTER CONTROLLER | ASAMURA PATENT OFFICE | (US) 09/985,083 | STATUS CHECK | 0 | None |
| 19 Fri | JEL/JEL/JEL | L7307.01120 | DAMPING STRUCTURE AND APPLICATIONS | CABINET BONNETAT | (US) 09/980,125 | FINAL OFFICE ACTION | 1 | 2 Ex/1 Mnth |
| 19 Fri | JEL/JEL/JEL | L7307.01120 | DAMPING STRUCTURE AND APPLICATIONS | CABINET BONNETAT | (US) 09/980,125 | NOTICE OF APPEAL | 1 | 2 Ex/1 Mnth |
| 19 Fri | JEL/JEL/JEL | L7307.03136 | DEVICE FOR ARTICULATING A FLAP TO AN AI | CABINET BONNETAT | (US) 10/440,300 | POST CARD RCVD? | 1 | None |
| 19 Fri | JEL/JEL/JEL | L7307.03146 | DEVICE AND SYSTEM FOR MAINTAINING A C | CABINET BONNETAT | (US) 10/463,856 | PUBLICATION | 0 | None |
| 19 Fri | JEL/JEL/JEL | L7307.03147 | DEVICE FOR AIDING THE LOCATING OF A FAI | CABINET BONNETAT | (US) 10/463,863 | PUBLICATION | 0 | None |
| 19 Fri | JEL/JEL/JEL | L741.01109 | METHOD AND SYSTEM FOR REDUCING PERS | CABINET JP COLAS | (US) 09/988,301 | STATUS CHECK | 3 | None |
| 19 Fri | JEL/JEL/JEL | L8462.02110 | FIELD EFFECT TRANSISTOR SWITCH CIRCUI | MIYAI PATENT OFFICE | (US) 10/322,589 | STATUS CHECK | 0 | None |
| 19 Fri | JEL/JEL/JEL | L9079.01111A | ELASTIC AIR TEXTURED YARN AND ITS MAN | TUN, JOU & LAY IP OFFICE | (US) 10/391,010 | PUBLICATION | 0 | None |
| 19 Fri | JEL/JEL/JEL | L9289.02124A | COMMUNICATION TERMINAL APPARATUS AN | Washida & Associates | (US) 10/322,425 | STATUS CHECK | 0 | None |
| 19 Fri | JEL/JEL/JEL | L9289.02182 | BASE STATION APPARATUS AND RADIO TRA | Washida & Associates | (US) 10/204,221 | STATUS ON PETITION | 3 | None |
| 20 Sat | JEL/JEL/JEL | JEL30239ADIV | HEAT SINK APPARATUS, BLOWER FOR USE T | ASAMURA PATENT OFFICE | (US) 09/925,508 | ISSUE FEE 1 MTH C-U | 0 | None |
| 20 Sat | JEL/JEL/JEL | JEL30682B | POLYMER ELECTROLYTE FUEL CELL AND PR | ASAMURA PATENT OFFICE | (US) N/A | POST CARD RCVD? | 0 | 1 Ex/1 Mnth |
| 20 Sat | JEL/JEL/JEL | JEL31206PCT | APPARATUS AND METHOD FOR TRANSMISSI | Washida & Associates | (US) 09/582,558 | STATUS INQUIRY LTR | 0 | None |
| 20 Sat | JEL/JEL/JEL | JEL31231 | BASE STATION APPARATUS, ID CONTROL AP | Washida & Associates | (US) 09/635,097 | NOTICE OF APPEAL | 1 | 2 Ex/1 Mnth |
| 20 Sat | JEL/JEL/JEL | JEL31231 | BASE STATION APPARATUS, ID CONTROL AP | Washida & Associates | (US) 09/635,097 | FINAL REJECTION | 1 | 2 Ex/1 Mnth |

URGENT CONSOLIDATED DOCKET FOR JAMES E. LEDBETTER

Printed: 11/26/2003

| DATE | ATTY | REFERENCE# | TITLE / MARK | CLIENT | REG/SERIAL# | ACTION | CURRENT EXT | EXT AVAILABLE |
|-----------------------|-------------|-------------|---------------------------------------|-------------------------|-----------------|----------------------|----------------|------------------|
| December continued... | | | | | | | | |
| 20 Sat | JEL/JEL/JEL | L7016.03112 | RESERVOIR UNIT | ASAMURA PATENT OFFICE | (US) 10/465,892 | STATUS CHECK | 0 | None |
| 20 Sat | JEL/JEL/JEL | L7307.01118 | DEVICE FOR DETERMINING THE VALUES OF | CABINET BONNETAT | (US) 09/979,886 | STATUS INQ CORR OFR | 2 | 1 Ex/1 Mnth |
| 20 Sat | JEL/JEL/JEL | L7307.01120 | DAMPING STRUCTURE AND APPLICATIONS | CABINET BONNETAT | (US) 09/980,125 | ASSIGNMENT RECORDED? | 0 | 2 Ex/1 Mnth |
| 20 Sat | JEL/JEL/JEL | L7307.03149 | PROCESS AND DEVICE FOR DEVISING AN AB | CABINET BONNETAT | (US) 10/465,844 | STATUS CHECK | 0 | None |
| 20 Sat | JEL/JEL/JEL | L7725.03109 | N/A | GRUENECKER KINKELDEY ST | (US) N/A | FILE PATENT APPL | 0 | None |
| 20 Sat | JEL/JEL/JEL | L9289.00127 | RECEIVING APPARATUS AND SYNCHRONIZA | Washida & Associates | (US) 09/719,821 | STATUS CHECK | 1 | 2 Ex/1 Mnth |
| 20 Sat | JEL/JEL/JEL | L9289.01148 | ARRAY ANTENNA RADIO COMMUNICATION A | Washida & Associates | (US) 09/868,699 | STATUS CHECK | 3 | None |
| 20 Sat | JEL/JEL/JEL | L9289.01174 | RECEIVING APPARATUS AND GAIN CONTROL | Washida & Associates | (US) 09/913,848 | STATUS CHECK | 1 | 2 Ex/1 Mnth |
| 20 Sat | JEL/JEL/JEL | L9289.01223 | CHANNEL ALLOCATION METHOD AND RADIO | Washida & Associates | (US) 09/979,889 | STATUS INQ CORR OFR | 1 | 2 Ex/1 Mnth |
| 20 Sat | JEL/JEL/JEL | L9289.01224 | COMMUNICATION CONTROL APPARATUS AN | Washida & Associates | (US) 09/979,890 | STATUS INQ CORR OFR | 1 | 2 Ex/1 Mnth |
| 20 Sat | JEL/JEL/JEL | L9289.02118 | ADAPTIVE MODULATION COMMUNICATION S | Washida & Associates | (US) 10/069,009 | STATUS CHECK | 1 | 2 Ex/1 Mnth |
| 20 Sat | JEL/JEL/JEL | L9289.02121 | BASE STATION APPARATUS AND CHANNEL A | Washida & Associates | (US) 10/069,008 | STATUS CHECK | 1 | 2 Ex/1 Mnth |
| 20 Sat | JEL/JEL/JEL | L9289.02122 | DATA TRANSMITTING APPARATUS AND DATA | Washida & Associates | (US) 10/069,005 | STATUS CHECK | 1 | 2 Ex/1 Mnth |
| 20 Sat | JEL/JEL/JEL | L9289.02125 | RADIO COMMUNICATION SYSTEM AND MULTI | Washida & Associates | (US) 10/069,004 | STATUS CHECK | 1 | 2 Ex/1 Mnth |
| 20 Sat | JEL/JEL/JEL | L9289.02147 | BASE STATION APPARATUS AND CHANNEL A | Washida & Associates | (US) 10/088,650 | STATUS CHECK | 6 | None |
| 20 Sat | JEL/JEL/JEL | L9289.02205 | TRANSMISSION APPARATUS AND TRANSMIS | Washida & Associates | (US) 10/204,356 | STATUS CHECK | 0 | None |
| 20 Sat | JEL/JEL/JEL | L9361.02102 | TIME RECORDER WITH A CARD FEED RATE A | YAJIMA PATENT OFFICE | (US) 10/147,913 | STATUS CHECK | 1 | 2 Ex/1 Mnth |
| 21 Sun | JEL/JEL/JEL | L7016.01105 | NICKEL POSITIVE ELECTRODE ACTIVE MATE | ASAMURA PATENT OFFICE | (US) 09/805,509 | NOTICE OF APPEAL | 1 | 2 Ex/1 Mnth |
| 21 Sun | JEL/JEL/JEL | L7016.01133 | SECONDARY BATTERY HAVING A NON-AQUEO | ASAMURA PATENT OFFICE | (US) 09/959,099 | ISSUE FEE 1 MTH C-U | 0 | None |

SDMM# JEL31040

PRINTED ON: 1/12/2004

| | | | | | | |
|---------|------|------------------|------------|--|------------------|-----------|
| COUNTRY | US | UNITED STATES | TITLE | | PRIOR | |
| NEW/CON | NEW | SERIAL# | 09/526,547 | STRUCTURE OF A PROSTHESIS INTENDED TO BE IMPLANTED IN A HUMAN OR ANIMAL PASSAGE AND PROSTHESIS WITH SUCH A STRUCTURE | MAIL | |
| RELATED | | PATENT# | | | FILE | 3/16/2000 |
| TYPE | UTL | STATUS | PENDING | | PUBL | |
| CLIENT | 7307 | CABINET BONNETAT | 1 | CREF | NOVATECH/STRUCTU | ISSUE |
| AGENT | | | | AREF | REP | 1ST |
| | | | | | | EXP |
| | | | | | | 3/16/2020 |

| ID | O | ACTION | BASE | DUE IN | DUE | EXTNS | FINAL | EXT | RESPONSE | CALL UP | 1 | 2 | P |
|--|---|----------------------|------------|--------|------------|-------|------------|-----|------------|---------|---|---|---|
| | Y | CLAIM FOR PRIORITY | 3/16/2000 | | | | | | | | | | |
| AS | Y | ASSIGNMENT DOC. | 3/16/2000 | | | | | | | | | | |
| CH | Y | CHANGE OF ADDRESS | 3/16/2000 | | | | | | | | | | |
| AS | Y | REC. ASSIGNMENT | 5/26/2000 | | | | | | | | | | |
| | Y | FILING RECEIPT REC.D | 6/1/2000 | | | | | | | | | | |
| DS | N | INF DISCLOSURE STMT | 3/16/2000 | 3 M | 6/16/2000 | 0 | 6/16/2000 | 0 | 6/14/2000 | 1 M | Y | Y | Y |
| | N | C/U (TO BE FILED) | 3/14/2000 | 147 D | 8/8/2000 | | 8/8/2000 | 0 | 3/16/2000 | 0 M | Y | Y | Y |
| | N | TO BE FILED | 3/14/2000 | 148 D | 8/9/2000 | | 8/9/2000 | 0 | 3/16/2000 | 0 M | Y | Y | Y |
| | y | ids | 8/28/2000 | | | | | | | | | | |
| | Y | COA & SIL | 9/22/2000 | | | | | | | | | | |
| RE | N | RESPONSE TO OA | 8/1/2001 | 3 M | 11/1/2001 | 3 1 | 2/1/2002 | 1 | 11/1/2001 | 1 M | Y | Y | Y |
| SQ | Y | STATUS INQUIRY LTR | 11/1/2001 | | | | | | | | | | |
| NA | N | NOTICE OF APPEAL | 1/15/2002 | 3 M | 4/15/2002 | 3 1 | 7/15/2002 | 3 | 5/15/2002 | 1 M | Y | Y | Y |
| REQ CONT EXAM FLD IN RESP TO NTC OF APPEAL DUE MAY 15, 2002; | | | | | | | | | | | | | |
| FR | N | FINAL REJECTION | 1/15/2002 | 3 M | 4/15/2002 | 3 1 | 7/15/2002 | 1 | 4/15/2002 | 1 M | Y | Y | Y |
| E1 | Y | 1 MONTH EXT OF TIME | 5/15/2002 | | | | | | | | | | |
| CX | Y | RQST CONTINUED EXAM | 5/15/2002 | | | | | | | | | | |
| RE | N | RESPONSE TO OA | 7/18/2002 | 3 M | 10/18/2002 | 3 1 | 1/18/2003 | 2 | 11/18/2002 | 1 M | Y | Y | Y |
| E1 | Y | 1 MONTH EXT OF TIME | 11/18/2002 | | | | | | | | | | |
| FR | N | FINAL REJECTION | 2/13/2003 | 3 M | 5/13/2003 | 3 1 | 8/13/2003 | 0 | 4/28/2003 | 1 M | Y | Y | Y |
| NA | N | NOTICE OF APPEAL | 2/13/2003 | 3 M | 5/13/2003 | 3 1 | 8/13/2003 | 2 | 6/13/2003 | 1 M | Y | Y | Y |
| AV | Y | ADVISORY ACTION | 5/28/2003 | | | | | | | | | | |
| E1 | Y | 1 MONTH EXT OF TIME | 6/13/2003 | | | | | | | | | | |
| AB | N | APPEAL BRIEF | 6/13/2003 | 2 M | 8/13/2003 | 5 1 | 1/13/2004 | 0 | 7/22/2003 | 1 M | Y | Y | Y |
| EX | Y | EXAMINER ANSW RECD? | 10/20/2003 | | | | | | | | | | |
| | Y | REJECTIONS SUSTAINED | 10/20/2003 | | | | | | | | | | |
| SQ | N | STATUS INQUIRY LTR | 7/22/2003 | 3 M | 10/22/2003 | 0 | 10/22/2003 | 0 | 10/20/2003 | 0 M | Y | Y | Y |
| SC | N | STATUS CHECK | 10/20/2003 | 3 M | 1/20/2004 | 0 | 1/20/2004 | 0 | | 1 M | Y | Y | Y |

| |
|------------------|
| INVENTORS |
| Jose FEDIDA |

| |
|------------------|
| ASSIGNEES |
| NOVATECH SA |
| 10657/0436 |

| USER-DEFINABLE FIELDS | | PATENT FIELDS | |
|-----------------------|----------|---------------|-------------------|
| ART# | 3731 | SMALL ENTITY | ART UNIT 3731 |
| EXAM. | VY Q BUI | CLAIMS | EXAMINER VY Q BUI |
| SDMM# | | PUBLICATION# | CONFIRM# 1825 |

| | | | | | | | | | | | | |
|------------|---------|-----------|----------|------------|----|-----|-----------|-----|---|-----|---|-----|
| P10605US00 | ENTERED | 3/15/2000 | MODIFIED | 10/20/2003 | BY | MAB | ATTORNEYS | JEL | / | JEL | / | JEL |
|------------|---------|-----------|----------|------------|----|-----|-----------|-----|---|-----|---|-----|

Exhibit 3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

On Appeal from Group Art Unit 3731

In re the Application of

Inventor: Jose FEDIDA Group Art Unit: 3731

Appln. No.: 09/526,547 Examiner: V. Bui

Filed: March 16, 2000

For: STRUCTURE OF A PROSTHESIS INTENDED TO BE IMPLANTED
IN A HUMAN OR ANIMAL PASSAGE AND PROSTHESIS WITH
SUCH A STRUCTURE

DECLARATION OF ADMINISTRATIVE ASSISTANT

Attn: Office of Petitions

Assistant Commissioner of Patents
Washington, D. C. 20231

Dear Sir:

The undersigned hereby declares that:

(1) I have been employed as an Administrative Assistant for Mr. Ledbetter of Stevens, Davis, Miller & Mosher, from April, 2001 to the present;

(2) I received the Examiner's Answer dated October 20, 2003, in the above-captioned application, from the Chief Docket Clerk of Stevens, Davis, Miller & Mosher on October 20, 2003;

(3) I did not realize there was any due date to be docketed or urgency to dealing with the paper because there was no due date marked thereon by the docket clerk;

(4) from October 20, 2003 through January 9, 2004, the Examiner's Answer was in a stack of papers at my desk;

(5) due to an unusually heavy workload in October and November, and the holiday season in December, I did not prepare a

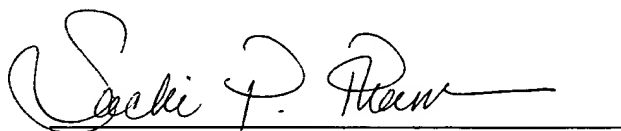
letter for the undersigned's signature, to send the paper to the Applicant, until January 9, 2004;

(6) on January 9, 2004, Mr. Ledbetter asked me where the paper had been for the last two and one half months, and I explained the above to him;

(7) I receive a copy of Mr. Ledbetter's Consolidated Docket each month and the Consolidated Docket for December 2003 did not contain any entry for this application; and

(8) all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful statements may jeopardize the validity of the application or any patent issuing thereon.

January 12, 2004


Sachi Pham

THURSDAY • DECEMBER 18, 2003

352nd Day, 13 Days Left

TO BE DONE TODAY (ACTION LIST)

APPOINTMENTS & SCHEDULED EVENTS

DIARY AND WORK RECORD • EXPENSES

\$/TIME

~~L7307.02109 - No. App. (AAF F. 10/20) (No. 4th. awarded 3/15)~~

~~JEL 31249 - draft Amend. (ii) DWWS 12/18~~

~~L8612.03110 - New case DL 12/15~~

Exhibit 4

FRIDAY • DECEMBER 19, 2003

EREV HANUKKAH

~~L7725.03109 - New Case c/u 12/15~~

~~L7234.01130 - (AAF 10/28) HV. Sent 11/19 11/8~~

~~JEL 31007 - 108 11/25~~

~~L9089.03170 - New Case c/u 12/4~~

~~L9089.03171 - New Case c/u 12/11~~

~~JEL 30763 - send doc. Amend. for DA 12/22~~

~~L741.03113 - New Case (ASAP) 12/23~~

~~L741.03113 - New Case (ASAP) 12/22~~

~~L741.03114 - New Case (ASAP) 12/22~~

~~L741.03115 - New Case (ASAP) 12/22~~

~~L741.03116 - New Case (ASAP) 12/22~~

SATURDAY • DECEMBER 20, 2003

HANUKKAH

~~L7725.03109 - New Case DL 12/15~~

~~JEL 31231 - F. Reg. (ii) DWWS 12/18~~

~~L9089.03172 - New Case DL 12/4~~

~~JEL 30773 - comm. ltr. (DWWS)~~

SUNDAY • DECEMBER 21, 2003

355th Day, 10 Days Left

~~L7016.01105 - No. App. (AAF F. 11/21)~~

~~L7257.02163 - draft Resp. (ii) DWWS 12/18~~

| NOVEMBER 2003 | | | | | | | DECEMBER 2003 | | | | | | | JANUARY 2004 | | | | | | |
|---------------|----|----|----|----|----|----|---------------|----|----|----|----|----|----|--------------|----|----|----|----|----|----|
| S | M | T | W | T | F | S | S | M | T | W | T | F | S | S | M | T | W | T | F | S |
| | | | | | | | 7 | 1 | 2 | 3 | 4 | 5 | 6 | 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| 2 | 3 | 4 | 5 | 6 | 7 | 8 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 11 | 12 | 13 | 14 | 15 | 16 | 17 |
| 9 | 10 | 11 | 12 | 13 | 14 | 15 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 18 | 19 | 20 | 21 | 22 | 23 | 24 |
| 16 | 17 | 18 | 19 | 20 | 21 | 22 | 28 | 29 | 30 | 31 | | | | 25 | 26 | 27 | 28 | 29 | 30 | 31 |
| 23 | 24 | 25 | 26 | 27 | 28 | 29 | | | | | | | | | | | | | | |

MONDAY • DECEMBER 22, 2003

356th Day, 9 Days Left • 52nd Week

TO BE DONE TODAY (ACTION LIST)

APPOINTMENTS & SCHEDULED EVENTS

DIARY AND WORK RECORD • EXPENSES

\$/TIME

~~67725.03108 - cl. p.m. (new case 9/22)~~ 10/1

~~8734.03102 - cl. p.m. (new case 9/22)~~

~~8501.03101 - draft app. to Matsuda~~ 12/21

~~9289.03177 - new case DL~~ 12/11

~~JEL 30463 - DA Pte. App. 12/22~~

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TUESDAY • DECEMBER 23, 2003

357th Day, 8 Days Left

~~9289.02117 - 2. Rpt. ext~~

~~7307.02113 - 3. Rpt. (ii) AAF (AAEF. 10/29)~~ RCE 12/2

~~9289.02181 - IDS~~ 11/28

~~8012.03111 - new case C/L~~ 12/23

~~8012.03112 - new case C/L~~ 12/24

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WEDNESDAY • DECEMBER 24, 2003

358th Day, 7 Days Left

~~JEL 31057 - IF~~ 11/5

~~7016.02103 - c.p. misdirected~~

~~9289.02124 - IF, PF~~ 11/13

~~JEL 31236 - R. Rpt. ext.~~

~~JEL 31056 I - 3. Rpt. (ii) JEL (AAEF. 12/18)~~ ext

~~JEL 31222 A - IF, PF, LAD~~ 10/29

~~9289.03178 - new case C/L~~ 12/16

~~8012.03111 - new case DL~~ 12/23

~~8012.03112 - new case DL~~ 12/24

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URGENT CONSOLIDATED DOCKET FOR JAMES E. LEDBETTER

11/26/2003

Printed: 11/26/2003

| DATE | ATTY/ATTY2 PARA | REFERENCE# | TITLE / MARK | CLIENT | REG/SERIAL# | ACTION | CURRENT EXT | EXT. AVAILABLE |
|-----------------------|--------------------|--------------|---|--------------------------|-----------------|----------------------|----------------|-------------------|
| December continued... | | | | | | | | |
| 18 Thu | JEL/JEL/JEL | L9289.02217 | BASE STATION APPARATUS AND RADIO COM | Washida & Associates | (US) 10/311,592 | STATUS CHECK | 0 | None |
| 18 Thu | JEL/JEL/JEL | L9289.02217 | BASE STATION APPARATUS AND RADIO COM | Washida & Associates | (US) 10/311,592 | ASSIGNMENT RECORDED? | 3 | None |
| 19 Fri | JEL/JEL/JEL | L4093.02106 | SMS | LIAN AND LIU | (US) 76/441,237 | STATUS CHECK | 0 | None |
| 19 Fri | JEL/JEL/JEL | L7016.01139 | PRINTER CONTROLLER | ASAMURA PATENT OFFICE | (US) 09/985,083 | STATUS CHECK | 0 | None |
| 19 Fri | JEL/JEL/JEL | L7307.01120 | DAMPING STRUCTURE AND APPLICATIONS | CABINET BONNETAT | (US) 09/980,125 | FINAL OFFICE ACTION | 1 | 2 Ex/1 Mnth |
| 19 Fri | JEL/JEL/JEL | L7307.01120 | DAMPING STRUCTURE AND APPLICATIONS | CABINET BONNETAT | (US) 09/980,125 | NOTICE OF APPEAL | 1 | 2 Ex/1 Mnth |
| 19 Fri | JEL/JEL/JEL | L7307.03136 | DEVICE FOR ARTICULATING A FLAP TO AN AI | CABINET BONNETAT | (US) 10/440,300 | POST CARD RCVD? | 1 | None |
| 19 Fri | JEL/JEL/JEL | L7307.03146 | DEVICE AND SYSTEM FOR MAINTAINING A C | CABINET BONNETAT | (US) 10/463,856 | PUBLICATION | 0 | None |
| 19 Fri | JEL/JEL/JEL | L7307.03147 | DEVICE FOR AIDING THE LOCATING OF A FAI | CABINET BONNETAT | (US) 10/463,863 | PUBLICATION | 0 | None |
| 19 Fri | JEL/JEL/JEL | L741.01109 | METHOD AND SYSTEM FOR REDUCING PERS | CABINET JP COLAS | (US) 09/988,301 | STATUS CHECK | 3 | None |
| 19 Fri | JEL/JEL/JEL | L8462.02110 | FIELD EFFECT TRANSISTOR SWITCH CIRCUI | MIYAI PATENT OFFICE | (US) 10/322,589 | STATUS CHECK | 0 | None |
| 19 Fri | JEL/JEL/JEL | L9079.01111A | ELASTIC AIR TEXTURED YARN AND ITS MAN | TUN, JOU & LAY IP OFFICE | (US) 10/391,010 | PUBLICATION | 0 | None |
| 19 Fri | JEL/JEL/JEL | L9289.02124A | COMMUNICATION TERMINAL APPARATUS AN | Washida & Associates | (US) 10/322,425 | STATUS CHECK | 0 | None |
| 19 Fri | JEL/JEL/JEL | L9289.02182 | BASE STATION APPARATUS AND RADIO TRA | Washida & Associates | (US) 10/204,221 | STATUS ON PETITION | 3 | None |
| 20 Sat | JEL/JEL/JEL | JEL30239ADIV | HEAT SINK APPARATUS, BLOWER FOR USE T | ASAMURA PATENT OFFICE | (US) 09/925,508 | ISSUE FEE 1 MTH C-U | 0 | None |
| 20 Sat | JEL/JEL/JEL | JEL30682B | POLYMER ELECTROLYTE FUEL CELL AND PR | ASAMURA PATENT OFFICE | (US) N/A | POST CARD RCVD? | 0 | 1 Ex/1 Mnth |
| 20 Sat | JEL/JEL/JEL | JEL31206PCT | APPARATUS AND METHOD FOR TRANSMISSI | Washida & Associates | (US) 09/582,558 | STATUS INQUIRY LTR | 0 | None |
| 20 Sat | JEL/JEL/JEL | JEL31231 | BASE STATION APPARATUS, ID CONTROL AP | Washida & Associates | (US) 09/635,097 | NOTICE OF APPEAL | 1 | 2 Ex/1 Mnth |
| 20 Sat | JEL/JEL/JEL | JEL31231 | BASE STATION APPARATUS, ID CONTROL AP | Washida & Associates | (US) 09/635,097 | FINAL REJECTION | 1 | 2 Ex/1 Mnth |

Exh. b7-3 PAGE 19

URGENT CONSOLIDATED DOCKET FOR JAMES E. LEDBETTER

Printed: 11/26/2003

| DATE | PARA | REFERENCE# | TITLE / MARK | CLIENT | REG/SERIAL# | ACTION | CURRENT EXT | EXT AVAILABLE |
|-----------------------|-------------|-------------|---------------------------------------|-------------------------|-----------------|----------------------|----------------|------------------|
| December continued... | | | | | | | | |
| 20 Sat | JEL/JEL/JEL | L7016.03112 | RESERVOIR UNIT | ASAMURA PATENT OFFICE | (US) 10/465,892 | STATUS CHECK | 0 | None |
| 20 Sat | JEL/JEL/JEL | L7307.01118 | DEVICE FOR DETERMINING THE VALUES OF | CABINET BONNETAT | (US) 09/979,886 | STATUS INQ CORR OFR | 2 | 1 Ex/1 Mnth |
| 20 Sat | JEL/JEL/JEL | L7307.01120 | DAMPING STRUCTURE AND APPLICATIONS | CABINET BONNETAT | (US) 09/980,125 | ASSIGNMENT RECORDED? | 0 | 2 Ex/1 Mnth |
| 20 Sat | JEL/JEL/JEL | L7307.03149 | PROCESS AND DEVICE FOR DEVISING AN AB | CABINET BONNETAT | (US) 10/465,844 | STATUS CHECK | 0 | None |
| 20 Sat | JEL/JEL/JEL | L7725.03109 | N/A | GRUENECKER KINKELDEY ST | (US) N/A | FILE PATENT APPL | 0 | None |
| 20 Sat | JEL/JEL/JEL | L9289.00127 | RECEIVING APPARATUS AND SYNCHRONIZA | Washida & Associates | (US) 09/719,821 | STATUS CHECK | 1 | 2 Ex/1 Mnth |
| 20 Sat | JEL/JEL/JEL | L9289.01148 | ARRAY ANTENNA RADIO COMMUNICATION A | Washida & Associates | (US) 09/868,699 | STATUS CHECK | 3 | None |
| 20 Sat | JEL/JEL/JEL | L9289.01174 | RECEIVING APPARATUS AND GAIN CONTROL | Washida & Associates | (US) 09/913,848 | STATUS CHECK | 1 | 2 Ex/1 Mnth |
| 20 Sat | JEL/JEL/JEL | L9289.01223 | CHANNEL ALLOCATION METHOD AND RADIO | Washida & Associates | (US) 09/979,889 | STATUS INQ CORR OFR | 1 | 2 Ex/1 Mnth |
| 20 Sat | JEL/JEL/JEL | L9289.01224 | COMMUNICATION CONTROL APPARATUS AN | Washida & Associates | (US) 09/979,890 | STATUS INQ CORR OFR | 1 | 2 Ex/1 Mnth |
| 20 Sat | JEL/JEL/JEL | L9289.02118 | ADAPTIVE MODULATION COMMUNICATION S | Washida & Associates | (US) 10/069,009 | STATUS CHECK | 1 | 2 Ex/1 Mnth |
| 20 Sat | JEL/JEL/JEL | L9289.02121 | BASE STATION APPARATUS AND CHANNEL A | Washida & Associates | (US) 10/069,008 | STATUS CHECK | 1 | 2 Ex/1 Mnth |
| 20 Sat | JEL/JEL/JEL | L9289.02122 | DATA TRANSMITTING APPARATUS AND DATA | Washida & Associates | (US) 10/069,005 | STATUS CHECK | 1 | 2 Ex/1 Mnth |
| 20 Sat | JEL/JEL/JEL | L9289.02125 | RADIO COMMUNICATION SYSTEM AND MULTI | Washida & Associates | (US) 10/069,004 | STATUS CHECK | 1 | 2 Ex/1 Mnth |
| 20 Sat | JEL/JEL/JEL | L9289.02147 | BASE STATION APPARATUS AND CHANNEL A | Washida & Associates | (US) 10/088,650 | STATUS CHECK | 6 | None |
| 20 Sat | JEL/JEL/JEL | L9289.02205 | TRANSMISSION APPARATUS AND TRANSMIS | Washida & Associates | (US) 10/204,356 | STATUS CHECK | 0 | None |
| 20 Sat | JEL/JEL/JEL | L9361.02102 | TIME RECORDER WITH A CARD FEED RATE A | YAJIMA PATENT OFFICE | (US) 10/147,913 | STATUS CHECK | 1 | 2 Ex/1 Mnth |
| 21 Sun | JEL/JEL/JEL | L7016.01105 | NICKEL POSITIVE ELECTRODE ACTIVE MATE | ASAMURA PATENT OFFICE | (US) 09/805,509 | NOTICE OF APPEAL | 1 | 2 Ex/1 Mnth |
| 21 Sun | JEL/JEL/JEL | L7016.01133 | SECONDARY BATTERY HAVING A NON-AQUEO | ASAMURA PATENT OFFICE | (US) 09/959,099 | ISSUE FEE 1 MTH C-U | 0 | None |

SDMM# JEL31040

PRINTED ON: 1/12/2004

| | | | | | | | |
|----------------|------|------------------|--------------|--|--------------------------|--------------|-----------|
| COUNTRY | US | UNITED STATES | TITLE | | PRIOR | | |
| NEW/CON | NEW | SERIAL# | 09/526,547 | STRUCTURE OF A PROSTHESIS INTENDED TO BE IMPLANTED IN A HUMAN OR ANIMAL PASSAGE AND PROSTHESIS WITH SUCH A STRUCTURE | MAIL | | |
| RELATED | | PATENT# | | | FILE | 3/16/2000 | |
| TYPE | UTL | STATUS | PENDING | | PUBL | | |
| CLIENT | 7307 | CABINET BONNETAT | 1 | CREF | NOVATECH/STRUCTU RE-P | ISSUE | |
| AGENT | | | | AREF | | 1ST | 3/16/2000 |
| | | | | | | EXP | 3/16/2020 |

| ID | O | ACTION | BASE | DUE IN | DUE | EXTNS | FINAL | EXT | RESPONSE | CALL UP | 1 | 2 | P |
|--|---|----------------------|------------|--------|------------|-------|------------|-----|------------|---------|---|---|---|
| | Y | CLAIM FOR PRIORITY | 3/16/2000 | | | | | | | | | | |
| AS | Y | ASSIGNMENT DOC. | 3/16/2000 | | | | | | | | | | |
| CH | Y | CHANGE OF ADDRESS | 3/16/2000 | | | | | | | | | | |
| AS | Y | REC. ASSIGNMENT | 5/26/2000 | | | | | | | | | | |
| | Y | FILING RECEIPT REC.D | 6/1/2000 | | | | | | | | | | |
| DS | N | INF DISCLOSURE STMT | 3/16/2000 | 3M | 6/16/2000 | 0 | 6/16/2000 | 0 | 6/14/2000 | 1M | Y | Y | Y |
| | N | C/U (TO BE FILED) | 3/14/2000 | 147D | 8/8/2000 | | 8/8/2000 | 0 | 3/16/2000 | 0M | Y | Y | Y |
| | N | TO BE FILED | 3/14/2000 | 148D | 8/9/2000 | | 8/9/2000 | 0 | 3/16/2000 | 0M | Y | Y | Y |
| | y | ids | 8/28/2000 | | | | | | | | | | |
| | Y | COA & SIL | 9/22/2000 | | | | | | | | | | |
| RE | N | RESPONSE TO OA | 8/1/2001 | 3M | 11/1/2001 | 31 | 2/1/2002 | 1 | 11/1/2001 | 1M | Y | Y | Y |
| SQ | Y | STATUS INQUIRY LTR | 11/1/2001 | | | | | | | | | | |
| NA | N | NOTICE OF APPEAL | 1/15/2002 | 3M | 4/15/2002 | 31 | 7/15/2002 | 3 | 5/15/2002 | 1M | Y | Y | Y |
| REQ CONT EXAM FLD IN RESP TO NTC OF APPEAL DUE MAY 15, 2002; | | | | | | | | | | | | | |
| FR | N | FINAL REJECTION | 1/15/2002 | 3M | 4/15/2002 | 31 | 7/15/2002 | 1 | 4/15/2002 | 1M | Y | Y | Y |
| E1 | Y | 1 MONTH EXT OF TIME | 5/15/2002 | | | | | | | | | | |
| CX | Y | RQST CONTINUED EXAM | 5/15/2002 | | | | | | | | | | |
| RE | N | RESPONSE TO OA | 7/18/2002 | 3M | 10/18/2002 | 31 | 1/18/2003 | 2 | 11/18/2002 | 1M | Y | Y | Y |
| E1 | Y | 1 MONTH EXT OF TIME | 11/18/2002 | | | | | | | | | | |
| FR | N | FINAL REJECTION | 2/13/2003 | 3M | 5/13/2003 | 31 | 8/13/2003 | 0 | 4/28/2003 | 1M | Y | Y | Y |
| NA | N | NOTICE OF APPEAL | 2/13/2003 | 3M | 5/13/2003 | 31 | 8/13/2003 | 2 | 6/13/2003 | 1M | Y | Y | Y |
| AV | Y | ADVISORY ACTION | 5/28/2003 | | | | | | | | | | |
| E1 | Y | 1 MONTH EXT OF TIME | 6/13/2003 | | | | | | | | | | |
| AB | N | APPEAL BRIEF | 6/13/2003 | 2M | 8/13/2003 | 51 | 1/13/2004 | 0 | 7/22/2003 | 1M | Y | Y | Y |
| EX | Y | EXAMINER ANSW RECD? | 10/20/2003 | | | | | | | | | | |
| | Y | REJECTIONS SUSTAINED | 10/20/2003 | | | | | | | | | | |
| SQ | N | STATUS INQUIRY LTR | 7/22/2003 | 3M | 10/22/2003 | 0 | 10/22/2003 | 0 | 10/20/2003 | 0M | Y | Y | Y |
| SC | N | STATUS CHECK | 10/20/2003 | 3M | 1/20/2004 | 0 | 1/20/2004 | 0 | | 1M | Y | Y | Y |

| |
|------------------|
| INVENTORS |
| Jose FEDIDA |

| |
|------------------|
| ASSIGNEES |
| NOVATECH SA |
| 10657/0436 |

| USER-DEFINABLE FIELDS | | PATENT FIELDS | | | |
|-----------------------|----------|---------------|--|----------|----------|
| ART# | 3731 | SMALL ENTITY | | ART UNIT | 3731 |
| EXAM. | VY Q BUI | CLAIMS | | EXAMINER | VY Q BUI |
| SDMM# | | PUBLICATION# | | CONFIRM# | 1825 |

| | | | | | | | | | | | | |
|------------|---------|-----------|----------|------------|----|-----|-----------|-----|---|-----|---|-----|
| P10605US00 | ENTERED | 3/15/2000 | MODIFIED | 10/20/2003 | BY | MAB | ATTORNEYS | JEL | / | JEL | / | JEL |
|------------|---------|-----------|----------|------------|----|-----|-----------|-----|---|-----|---|-----|